

#8
Interview
Summary
8-12-03
M.P.B.

PATENT



Attorney Docket No. EIP-5809 (1417G P 446)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re U.S. Patent Application of)

KOWALIK, Francis C., and JACOBSON, James D.)

Application No. 10/040,908)

Confirmation No. 8904)

Filing Date: January 7, 2002)

For: MEDICAL INFUSION SYSTEM WITH)
INTEGRATED POWER SUPPLY AND)
PUMP THEREFORE)

Group Art Unit: 3763

Examiner: Cheryl Jackson Tyler

APPLICANTS' INTERVIEW SUMMARY

MAIL STOP NON-FEE AMENDMENT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Dear Commissioner:

On July 3, 2003 the undersigned, Robert W. Diehl, attorney for Applicants, conducted an interview with Examiner Cheryl Tyler. Applicants thank Examiner Tyler for the time spent to conduct this brief interview. The below summary constitutes the complete written statement required by 37 C.F.R. § 1.133 and complies with MPEP § 713.03.

A. Brief Description of Nature of any Exhibit or Demonstration

None.

B. Identification of Claims Discussed

Claims 1 and 19 were discussed.

C. Identification of Specific Prior Art Discussed

None.

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D. Identification of Principal Proposed Amendments Discussed

None.

E. General Identification of Principal Arguments Discussed

Mr. Diehl and Examiner Tyler discussed the restriction requirement dated June 20, 2003. Specifically, it was Mr. Diehl's position that Species A (FIG. 1) and Species B (FIG. 5) were not mutually exclusive embodiments of the invention and, in fact, FIG. 1 illustrates attachment of a power supply directly to a lineset tubing. Examiner Tyler concurred with this position and proposed changing the restriction to read "Species A (direct attachment to lineset)" and "Species B (indirect attachment to lineset)" as both are illustrated in Figure 1. Figure 5 illustrates direct attachment to the lineset.

It was further Mr. Diehl's position that at least Claim 1 appears to be generic to Species A and Species B. Examiner Tyler concurred, pointing out that at least independent Claim 19 was limited to direct attachment (Species A).

F. General Identification of Other Pertinent Matters Discussed

None.

G. Results of Interview

In order to expedite prosecution of the present application, Examiner Tyler suggested Applicants respond in accordance with this new understanding of the restriction requirement.

H. Copies of Internet E-mail, if Conducted via Email

Not applicable.

CONCLUSION

Applicants submit the above constitutes the complete written statement required to be made of record by 37 C.F.R. 1.133 and respectfully request this paper to be made of record in the

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above identified application. The Examiner is requested to contact the undersigned if the Examiner has any questions or if it will expedite the progress of this application.

Respectfully submitted,

Dated: July 21, 2003

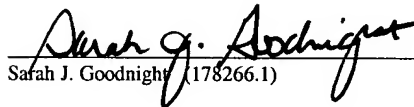
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Date of Deposit: July 21, 2003

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to: Mail Stop NON-FEE AMENDMENT, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.


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